Revised 12/04

CORRES. CONTROL
INCOMING LTR NO.

02029 RF04

DUE DATE

ACTION

RECEIVED
2004 DEC 22 P 8:01
CORRESPONDENCE CONTROL

STATE OF COLORADO

Bill Owens, Governor
Douglas H. Benevento, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
TDD Line (303) 691-7700
Located in Glendale, Colorado
http://www.cdphe.state.co.us

Laboratory and Radiation Services Division
8100 Lowry Blvd.
Denver, Colorado 80230-6928
(303) 692-3090

Colorado Department
of Public Health
and Environment

DIST.	LTR	ENC
BERARDINI, J.H.	X	X
BOGNAR, E.S.	X	X
BROOKS, L.	X	X
CARPENTER, M.	X	X
CIUCCI, J.A.		
CROCKETT, G. A.		
DECK, C. A.	X	X
DEGENHART, K. R.		
DEL VECCHIO, D.		
DIETER, T. J.		
FERRERA, D. W.	X	X
GIACOMINI, J. J.		
LINDSAY, D. C.	X	X
LONG, J. W.		
LYLE, J. L.		
MARTINEZ, L. A.	X	X
NAGEL, R. E.	X	X
NESTA, S.	X	X
NORTH, K.	X	X
SHELTON, D. C.	X	X
SPEARS, M. S.	X	X
TUOR, N. R.	X	X
WIEMELT, K.	X	X
WILLIAMS, J. L.		
ZAHM, C.	X	X

December 17, 2004

Mr. Joseph Legare
Director, Project Management Division
U.S. Department of Energy
Rocky Flats Field Office
10808 Highway 93, Unit A
Golden, Colorado 80403-8200

RE: **Draft Data Summary Report for IHSS Group 300-2 UBC-331 (Maintenance) and IHSS 300-134(S) (Lithium Metal Destruction Site), November 2004**

Dear Mr. Legare:

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the Division) hereby grants approval for the subject report and, as a consequence, No Further Accelerated Action (NFAA) for IHSS Group 300-2. Comment resolution meetings, and an ER Regulatory Contact Record were successful in resolving the Division's comments, attached.

The principle issue was whether an unusually elevated level of benzo(a)pyrene in surface soil, 0.0- 0.5 feet, was actionable under RFCA, specifically the IABZSAP dated May 2004. It was resolved that the shallow occurrence was secondary to the targeted constituents, lithium and radionuclides, and most likely associated with asphalt paving at the site.

The resulting contact record, dated December 2, 2004, provides that the contaminated soils will be excavated and disposed in conjunction with general asphalt removal operations around Building 331. Sidewall confirmation samples will be collected, in a triangular pattern, to ensure an adequate lateral extent of soil removal.

We look forward to confirming that minor additional changes are reflected in the final document. If you have any questions regarding this correspondence, please contact me at (303) 692-3367 or Harlen Ainscough at 303-692-3337.

Sincerely,

COR. CONTROL	X	X
ADMIN. RECORD	X	X
PATS/130		

Steven H. Gunderson
RFCA Project Coordinator

Attachment

RECEIVED
DEC 22 2004

Reviewed for Addressee
Corres. Control RFP

12/22/04 — Date — By

Ref. Ltr. #

DOE ORDER #
5400.1

cc: Mark Aguilar, EPA
Larry Kimmel, EPA
Dave Shelton, KH
Steve Nesta, KH
Mark Sattelberg, U.S.F&W
Norma Castaneda, DOE
Karen Wiemelt, KH
Administrative Records Building T130G

ADMIN RECORD

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1/3

IA-A-002491

Colorado Department of Public Health and Environment

Hazardous Materials & Waste Management Division

Comments

Draft Data Summary Report
for
IHSS Group 300-2

UBC-331 (Maintenance)
and
IHSS 300-134(S)
(Lithium Metal Destruction Site)
November 2004

General Comments:

1. Data indicate that NFAA is not appropriate for this site. One SVOCs at the surface is five times greater than its corresponding WRW. A second site, reported to be slightly less than three times the WRW, may exceed that hot spot criterion. If correction for a specific low surrogate recovery and low laboratory control spike recovery become necessary, the latter location may need to be excavated.

Specific Comments:

2. Section 2.3: The report, and request for an NFAA determination, failed to consider the hot spot limiting criterion of three times the WRW for benzo(a)pyrene at BW40-002. Additionally, quality parameters indicate that the benzo(a)pyrene value at BW40-024 may have been under reported, such that a corrected value would exceed the three times criterion and conservatively be subject to excavation.

3. Section 3.0: Relative to non-radionuclide SORs, page 57 & Table 5, the Division believes that SORs should include PAHs in this specific instance. The Regulatory Contact Record, dated February 2, 2004, *Methodology for Addressing Multiple Contaminants in Accelerated Actions*, allows for the exclusion of PAHs on the presumption that PAHs are related to asphalt. The occurrence of SVOCs at atypical, and actionable, levels suggest that the SVOCs may be from a source other than asphalt. (Reference EPA's observations at the November 18, 2004 comment resolution meeting regarding SVOCs derived from incomplete combustion.) Excluding PAHs at this site may "mask... genuine contaminants" as the SOR *Methodology* was intended to avoid.

4. Section 6.0, Screen 4: The text on page 61, once again, incorrectly associates ground water constituents to WRW levels. Please address.

5. Section 7.0: Accelerated action at one ore more locations will impact the conclusions, but may be addressed in a closeout report.

6. Section 8.0: The second bullet fails to consider the three times WRW criterion specified in the IABZSAP, page 111. Please address in a closeout report.

7. Section 9.2.1: Under Laboratory Control Sample Evaluation, please justify the exclusion of LCS data by the onsite laboratory.

8. Page 68: In the third paragraph, reference to the hot spot methodology and SSRS appears to be specific to the benzo(a)pyrene in the subsurface of BW40-005. For that occurrence, reference to the SSRS is adequate provided the final land configuration does not result in the contamination being at the surface.

9. Page 69: In the second and third paragraph, after Table 10, clarity is lacking. Rather than discuss a general failure, then override that general failure with more pertinent data, simply discuss the most applicable data to support the no impact outcome. Alternatively, at least have the discussion in one paragraph to avoid confusion with the subsequent issue.

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10. **Page 69:** In the latter portion of the third paragraph, after Table 10, the failures regarding the locations with the highest results (presumably BW40-002 and BW40-024) are unclear. If the 47% recovery of deuterated nitrobenzene was from the specific sample showing elevated benzo(a)pyrene, and no other surrogates percentages were specific, the benzo(a)pyrene results may still be under reported. If true, BW40-024 benzo(a)pyrene, which reported at 9500 ug/kg does not exceed three time the WRW, but if corrected relative to the surrogate recovery, may be actionable. Also, please recheck whether any LCS recovery of benzo(a) pyrene specific to the BW40-024 surface sample indicates similar low recovery. Then consider whether any corrected exceedance further warrants excavation.

11. **Page 70, Sample Matrix Spike Evaluation:** This comment is contingent upon Comment No. 10. If an impact to benzo(a)pyrene at BW40-024 is indicated, please modify the last sentence of the sub-section.

12. **Page 77:** Relative to the third bullet, please be specific as to the degree of significance. If the corrections did not suggest WRW exceedances, please state. If one or more WRWs would be exceeded, consider in respect to the hot spot methodology or SSRS, as appropriate. (Please delete "These are." in the next paragraph.)

13. **Page 77:** This comment is contingent upon Comment No. 10. In the last paragraph of page 77, a low surrogate recovery and the specific LCS for benzo(a)pyrene, may impact whether soil at BW40-024 will need to be excavated. Please address if necessary.

14. **Section 9.3:** This section may be impacted contingent upon Comment No. 10.

15. **Section 10.0:** An NFAA is not justified relative to location BW40-002 and possibly BW40-024. Additionally, the first bullet failed to consider the three times WRW hot spot criterion.